

Hospitals & Asylums

Unilateral Coercive Measure Obligation (Russian Federation v. United States of America) HA-22-2-22

By Anthony J. Sanders

The US and Russia are on the brink of war in the Ukraine. The Secretary-General has called short his visit to the Democratic Republic of Congo to deal with the crisis. Russia has assumed the Presidency of the Security Council. The general feeling is that the United States and Western allies are hysterical and do not have the right to enforce the arbitrary 1991 boundaries of the Ukraine against the right of all people to self-determination in regards to the autonomous regions of Donetsk, Lugansk and Crimea. The International Court of Justice is called upon to settle the *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)* 2017- present by ordering a cessation of armed and belligerent activity along and regarding the current border that Russia must respect for the time being, and allowing the Russian Federation to purchase Donetsk, Lugansk and Crimea from the impoverished, sanction loving, nation of the Ukraine, with assessed reparations. The Court is also sought to prohibit the supply of weapons to revolutionary groups by China, assess compensation for the Rohingya, and order the release of political prisoners and respect for the 2020 general election in regards to the *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar)* 2017 – present. Furthermore, the Court is sought to rule that the United States must return more than \$3.6 billion with interest in *Certain Iranian Assets (Islamic Republic of Iran v. United States of America)* 2019 – present and send the Office of Foreign Assets Control in the Treasury Department for the review of the legality and repeal of their sanctions regimes by the UN Security Council. There is no time for the author to reiterate his personal claim for the reimbursement of life savings embezzled by Antony J. Blinken, Secretary of State, while in Washington DC in fall of 2021. Afterthought, to provide the US author, who was born in the Netherlands, with theoretically competent legal representation, the Court may rule to permit dual US-Dutch citizenship. Subsequently Ukraine has filed a new case on 26 February denying the Russian pretext for war beginning on 24 February 2022 due to *Allegation of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)*. Although Russia did not appear, the unheeded Provisional Measure of 16 March 2022 provided: (1) The Russian Federation shall immediately suspend the military operations that it commenced on 24 February 2022 in the territory of Ukraine; (2) The Russian Federation shall ensure that any military or irregular armed units which may be directed or supported by it, as well as any organizations and persons which may be subject to its control or direction, take no steps in furtherance of the military operations referred to in point (1) above; and (3) Both Parties shall refrain from any action which might aggravate or extend the dispute before the Court or make it more difficult to resolve.

- I. [General issues relating to sanctions](#)
- II. [Alarming developments in the Ukraine](#)
- III. [Judgment against the United States of America \(Islamic Republic of Iran v. USA\)](#)
- IV. [Relieving sanctions against Afghanistan under Taliban rule](#)
- V. [Duty to release Aung San Suu Kyi and other politicians \(The Gambia v. Myanmar\)](#)
- VI. [Obligation to compensate for damages to person and property \(DRC v. Uganda\)](#)

Work Cited

Letter dated 13 April 2014 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council S/2014/264, Resolution 2255 (2015), Resolution 2596 (2021), Resolution 2611 (2021), Resolution 2615 (2021)

Alleged violations of the 1955 Treaty of Amity, Economic Relations, and Consular Rights (Islamic Republic of Iran v. United States of America) No. 175 3 October 2018

Allegation of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation) 26 February 2022

Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar) 2017 - present

Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation) 2017- present

Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda) 1999-2022

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Office of Foreign Assets Control, Treasury Department 31CFR Parts 500-599

Office of National Drug Control Policy (ONDCP) 21USC§1701 *et seq.*

Representation on committee for visitor exchange 28CFR§0.87

Torture 18USC§2340A

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)

Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States 2625(XXV)

International Convention for the Suppression of Terrorism Finance (1999)

International Convention on the Elimination of All Forms of Racial Discrimination (1969)

Sanders, Tony J. Hydrocortisone, Eucalyptus, Lavender, Peppermint or Salt Helps Water Cure Coronavirus Colds HA-2-2-22 an Act to end all cold war and poverty

I. General Issues Relating to Sanctions

1. Prohibit Unilateral Coercive Measures (UCMs).
2. Compensate for damages.
3. Require all international sanctions be deposited with the Security Council for arbitration with appeal to the International Court of Justice.

In February, Russia intends to convene a debate on “General issues relating to sanctions” with a particular focus on preventing their humanitarian and unintended consequences, while they will hold the Presidency of the Security Council, according to Security Council Report February 2022 Monthly Forecast. There are currently 14 Council sanctions regimes in place around the world. These sanctions measures support conflict resolution in Libya, Mali, South Sudan and Yemen; deter unconstitutional changes of government in places like Guinea Bissau; and curb the illicit exploitation of natural resources that fund the activities of armed groups in the Central African Republic (CAR), the Democratic Republic of Congo and Somalia. They also constrain the proliferation activities of the Democratic People’s Republic of Korea (DPRK) and the terrorist threat posed by the Islamist terrorist groups (ISIL), Al-Qaida and their affiliates. The Security Council has also created standing humanitarian exemptions in Somalia and Afghanistan, as well as case-by-case exemptions in Libya, Yemen and DPRK. Sanctions have also become more targeted, with more than 50 individuals and entities placed on lists. In 2016, three sanctions regimes — those concerning Iran, Côte d’Ivoire and Liberia — were terminated.

In the UN’s first several decades, Chapter VII sanctions under Art. 41 of the UN Charter, were imposed only twice, on Rhodesia in 1966 and South Africa in 1977, but following the end of the Cold War, their use has become quite extensive. Over several decades, the Council has established 30 sanctions regimes, of which 14 are currently active. At the first meeting on this thematic item, on 17 April 2000, The devastating effect of sanctions has been witnessed by the three most recent Secretary-Generals of the United Nations who have observed that sanctions on trade tend to harm the innocent and vulnerable members of the nations population rather than the people in power who the sanctions are intended to disempower. Council members underscored the need to improve the design and effectiveness of sanctions, as well as to address challenges faced in their implementation, including their unintended consequences. The Council has held only six meetings under this thematic item. Most recently a briefing in August 2017 discussed how to improve the design of UN sanctions. This issue drew particular attention following the Taliban’s seizure of power in Afghanistan and in relation to the adoption of resolution 2615 of 22 December 2021, which determines that humanitarian assistance does not violate the 1988 Afghanistan sanctions regime. Resolutions renewing the various sanctions regimes established by the Council also now contain standard language which stresses that the measures imposed by the resolution are not intended to have adverse humanitarian consequences for the civilian population.

Despite the use of the word “sanctions” to describe such measures, the Charter does not make any reference to that term. The Security Council can take action to maintain or restore international peace and security under Chapter VII of the United Nations Charter. The Security Council may decide on measures not-including the use of armed force. These may include complete or partial interruption of

economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations under Art. 41 of the UN Charter. Unilateral Coercive Measures (UCMs) are sanctions not imposed by the Security Council. The International Court of Justice is obligated to prohibit UCMs and reparate for the new round of briefs regarding *Alleged violations of the 1955 Treaty of Amity, Economic Relations, and Consular Rights (Islamic Republic of Iran v. United States of America)* No. 175 3 October 2018 to return \$3.6 billion plus interest in *Certain Iranian Assets (Islamic Republic of Iran v. United States of America)*. Going forward, the United Nations must require that all sanctions of an international character be deposited with the appropriate Security Council, for arbitration of the embezzlement with appeal to the International Court of Justice, whereas all Members, shall not only refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action, Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter under Art. 2(5) and to ensure the equal enforcement of the law the Security Council must “decide to take all measures” under Art. 39 of the UN Charter.

II. Alarming Developments in the Ukraine (Ukraine v. Russian Federation)

1. Oppose Russian NATO phobia by inviting Russian Federation and former Soviet Republics to join NATO, like West Germany did in 1955.

2. Appoint an expert to assess reparations due *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)* 2017- present.

3. Allow the Russian Federation to buy Donetsk, Lugansk and Crimea by paying the assessed reparations to settle the *Territorial and Maritime Dispute (Nicaragua v. Columbia)* 2001-2012 regarding the Budapest Memorandum (1994) and Territorial integrity of Ukraine A.68/L.39 (2014).

Letter dated 13 April 2014 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council S/2014/264 convened an emergency meeting of the Council, 13 April 2014, at 8 p.m., to consider the alarming developments in Ukraine. It is excessively hypocritical for the United States, North Atlantic Treaty Organization (NATO) and Russian Federation to stage a new cold war conflict in the Ukraine client-state, during the coronavirus pandemic. Cold wars are caused by xenophobia and require precision diplomacy, while colds are caused by highly contagious viruses and require precision medicine. Colds are even more different from cold war than cold war is from colonialism, and this will hopefully keep the gold plated armed forces philosophical. Russian troops are massed on the Ukraine border to protest the relocation of United States and NATO military assets to the border region. The United States refuses to withdraw offensive forces from the Russian border and the Secretary of State must be especially charged with brinkmanship. Russian troops remain encamped on the Ukraine border. Russia denies that it plans to invade Ukraine. Russia demands that its neighbors not be allowed to join NATO. NATO members have moved even more forces into the border region. To nonviolently oppose Russia's demand that NATO withdraw from the border region NATO has no option but propose that Russia and former Soviet Republics to join NATO.

It is easier to allow Russia, Ukraine and other former Soviet Republics to join the alliance, like Germany did in 1955, than pull the plug on NATO entirely pursuant to the Declaration on the Granting

of Independence to Colonial Countries and People (1960). NATO however created the cold war in 1949 to deter Soviet expansion. West Germany became a member on 6 May 1955, a day after its status as an occupied country came to an end (the Bonn-Paris conventions came into effect on 5 May 1955). Europe settled into an uneasy stand-off, symbolized by the construction of the Berlin Wall in 1961. During this time, NATO adopted the strategic doctrine of "Massive Retaliation" – if the Soviet Union attacked, NATO would respond with nuclear weapons. The battles between the United States and NATO against the Soviet Union were cruelly and unusually fought in third countries like Korea, Vietnam, Afghanistan and many others. The United States, NATO and Russia or the Soviet Union have never officially come into direct military conflict. Although NATO has had considerable success deterring conflict amongst themselves, "whereas an armed attack against one or more of them... shall be considered an attack against them all" in Art. 5 of the North Atlantic Treaty, done in Washington on 4 April 1949, NATO does little to refrain in their international relations from the threat or use of force against non-members.

The *principle of non-use of force* in Art. 2(4) is the *jus cogens*, universal norm, of international law. It states, "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state". This principle may also be called the *principle of non-aggression* and is upheld in the Merit Judgment of Peace Palace in the Hague on 27 June 1986 regarding *Military and Paramilitary Activities in and Against Nicaragua (Nicaragua v. United States of America)* No. 70 (1986). To make peace it is necessary to sue the referees on both sides of referendum, for armed interference and fraud. It is the Russian armed interference with the Crimean referendum that nullifies that referendum. Russia must be commended for getting such a substantive Marxist issue on the ballot, and dissolution of the Soviet Union, but the referendum must be nullified and dissolution election questioned, because of the Leninist armed intervention. The non-binding resolution by capitalist persecuting nations was unconstitutionally vague as to prohibit all actions, including, inter alia, the referendum, or a new referendum, rather than just the armed interference in the Territorial integrity of Ukraine A.68/L.39 (2014). Ukraine is one of the poorest nations in the region. The Russian Federation seems to pay its ethnic Russians, better than capitalist sanctions by the United States and NATO. Compensation may be due for damage to civilian persons and property, and civil aviation caused by Russian armed separatists.

On 24 August 1991, Ukraine proclaimed its independence from the Soviet Union, and the modern state of Ukraine was re-born. The Russian Federation subsequently made solemn commitments to respect Ukraine's sovereignty and independence within its settled borders. In 1994, the Russian Federation, the United States, the United Kingdom, and Ukraine all signed the Budapest Memorandum. Ukraine agreed to disarm and transfer its Soviet-era nuclear weapons to the Russian Federation, and the Russian Federation promised to respect Ukraine's sovereignty and territorial integrity, never to threaten or use force against Ukraine, and never to coerce Ukraine with economic pressure. With Ukraine prepared to sign a landmark Association Agreement with the European Union in 2013, the Russian Federation lashed out, threatening to destroy Ukraine's economy by imposing punitive unilateral trade restrictions, attempting to freeze its people by withholding gas supplies during the harsh winter season, and calling its territorial integrity into question. Dutch prosecutors have demanded life sentences for four suspects in the downing of Malaysia Airlines flight MH17 over eastern Ukraine in 2014. Prosecutors said the four recklessly used a Russian missile to bring down the passenger jet, killing all 298 passengers and crew. After the attack, the DPR returned the Buk system to the Russian Federation. When the Buk system was seen returning to the Russian border, having performed its function, it was missing at least one missile 35. There is no evidence that Russian authorities investigated, arrested, or punished those

who supported this act of terrorism. The targeted or indiscriminate shelling attacks on civilians in Volnovakha, Mariupol, and Kramatorsk, the bombings throughout the city of Kharkiv, and similar attacks perpetrated by Russian-backed illegal armed groups in Ukraine are also acts of terrorism under Article 2 (1) (b) of the Terrorism Financing Convention. The Russian Federation engineered a “referendum” to create a façade of legality for its subsequent annexation of Crimea. Crimea was overrun with soldiers without insignia mobilized by the Russian Federation, who wore masks and interfered with voting, subjecting ethnic Ukrainians and Crimean Tatars to intimidation. This so-called referendum was, as the Council of Europe’s Venice Commission concluded, inconsistent with the constitutions of both Ukraine and the Autonomous Republic of Crimea, as well as general constitutional principles. The referendum was also invalid under international law, as the United Nations General Assembly has recognized. *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)* was filed on 16 January 2017.

The Russian Federation’s unlawful aggression against Ukraine by Russian proxy forces has resulted in thousands of civilian deaths and the displacement of approximately 2 million people. Particular targets of the Russian authorities in occupied Crimea have been the non-Russian communities of the Crimean peninsula, in particular the persecution of the Crimean Tatar and more recently ethnic Ukrainian communities. Russia has achieved ethnic dominance through cultural erasure. The Crimean Tatars are a Turkic people with a long history on the Crimean peninsula since the days of the Golden Horde in the thirteenth century. Before 1783 they controlled their own state, the Crimean Khanate, but that state was conquered and annexed by the Russian Empire in 1783, which began forcing many Tatars out of the territory. In 1944, this cultural trauma was repeated and extended, as Joseph Stalin invoked false claims of collaboration with the Nazis as a justification to ethnically cleanse the peninsula of the Tatar community. That mass deportation of the Crimean Tatars (the “Sürgün”) remains a potent and traumatic cultural memory. In 1989, after nearly half a century in exile, the Soviet Union permitted the Tatars to return to their homeland. The Russian assault on the Tatar community has caused a huge portion of the community to flee. In the 2001 census, there were 243,400 Crimean Tatars living on the peninsula, comprising 12 per cent of the population. A census taken by the Russian Federation in 2015 counted only 42,254 Tatars — just 2 per cent of the population. In the last census taken before the purported annexation, out of a population of approximately 2.3 million people, 58 per cent were ethnic Russians, 24 per cent were ethnic Ukrainians, and 12 per cent were Crimean Tatars.

Ukraine has demanded reparations for the damages to person and property caused by bombings and acts of terrorism by Russian proxy forces. Ukraine has furthermore demanded that Russia stop systematically discriminating against and mistreating the Crimean Tatar and ethnic Ukrainian communities in Crimea, restore the rights of the Mejlis of the Crimean Tatar People, issue permits for Tatar and Ukraine media, cease interfering with the educational and cultural rights of the Crimean Tatar and ethnic Ukrainian people and make full reparation for all victims of the Russian Federation’s policy and pattern of cultural erasure through discrimination in Russian-occupied Crimea. In its Preliminary Objections, Judgment of 8 November 2019 the International Court of Justice rejected the objections of the Russian Federation and found that the Court had jurisdiction to entertain Ukraine’s claims under both the International Convention for the Suppression of Terrorism Finance and International Convention on the Elimination of All Forms of Racial Discrimination, but has not yet assessed the costs of reparations or reward of eastern Ukraine to the Russian Federation for paying compensation.

The Court notes that Ukraine did not request that it rule on issues concerning the Russian Federation's purported "aggression" or its alleged "unlawful occupation" of Ukrainian territory. In response to the recent spate of United States led hysteria regarding massing of Russian troops at the border, and imminent invasion of the Ukraine, the Russian President has stated many times that his forces have invaded, or threaten to invade, into eastern Ukraine, or attack anyone, despite being directed to do so by the United States. Territorial integrity of Ukraine A.68/L.39 (2014) was biased to sustain 1991 borders. It did not take into consideration the democratic will of the ethnic Russian majority in Donetsk, Lugansk and Crimea, to accede to the Russian Federation. Putin alleges they have been subjected to genocide by Ukraine. The separatist governments are considered terrorist organizations by the Ukraine. Shelling between the separatist and Ukraine militaries intensified, after people were advised to leave the area and seek refuge in Russia. On 21 February 2022 the Russian lower house and Security Council voted to recognize the autonomy of Donetsk and Lugansk People's Republics like Crimea. EU nations threatened sanctions, sent military technology to the Ukraine and troops to the region. The arbitrary Ukraine borders drawn up in 1991 and reaffirmed in the Budapest Agreement in 1994 are open to democracy should not have been sustained by the non-binding General Assembly resolution regarding the *Territorial integrity of Ukraine* A.68/L.39 (2014) that must be ruled a *Territorial and Maritime Dispute (Columbia v. Nicaragua)* 2002-2012 pursuant to the right of all people to self-determination. The Russian Federation pays better than western sanctions or Ukraine, one of the poorest nations in eastern Europe. The West should not oppress Russian democracy. These autonomous regions have voted to join the Russian Federation, filed for Russian passports and speak Russian. Ukraine must entertain the idea of rendering Donetsk and Lugansk People's Republics to the Russian Federation. The Court should vote to provide the Russian Federation with the *ratione materiae* to purchase Donetsk, Lugansk and Crimea with the reparations to be assessed for *Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)* 2017 – present.

Perhaps Putin can be impeached for the unauthorized invasion of the Ukraine, after 22 years of good to negligent news. He lied to everyone regarding not attacking the Ukraine. The Russian lower House and Security Council voted to recognize the autonomous regions of Donetsk and Lugansk. Russia did not authorize Putin to attack Ukraine. Putin's invasion of Ukraine evidently goes beyond the disputed, ethnic Russian east, into the cities of Kyiv and Kharkiv, deep into Ukraine proper, where he has no right to be. Russia will have to pay compensation for damages to persons and property. No territorial acquisition by the use of force shall be considered legal. Civilians have evacuated Donetsk and Lugansk. Instead of gaining territory by his unauthorized invasion, Putin lost the Russian claim to Donetsk and Lugansk and made international recognition extremely difficult. Putin became an international criminal overnight. This may be normal reading comprehension for politicians these days, but war in the Ukraine comes with a high cost in human life and property, and is a war crime, more serious than the usual response, even for Putin, who has never engaged in such an overtly, unlawful, major war before. Ukraine military has been supplied with modern weapons and many residents are willing to fight with rifles and Maltov cocktails. Ukraine has been solicited as the new place for foreign fighters to go to fight Russia. Putin has ordered the Russian army's nuclear deterrence forces on high alert. A Ukraine delegation has agreed to meet Russian counterparts in Belarus. Putin's objective to invade the Ukraine conflicts with Russia's objective to have the international community recognize Donetsk, Lugansk and Crimea People's Republics. If peace can be swiftly restored and people return to their homes, it might be possible for the International Court of Justice to recognize the annexation of Donetsk, Lugansk and Crimea, but reparations will be much higher than if he had

sustained diplomatic negotiations and paid for prior, comparatively minor damages. Otherwise, a war or occupation of Ukraine by Russia. will be interminable, it will never be respected, it will contribute to the world's misery and an estimated 5 million refugees of nearly 42 million Ukrainians. Putin may instantly plead temporary insanity, apologetically withdraw from Ukraine and pay compensation, and be rewarded with international recognition of the Russian claim to Donetsk, Lugansk and Crimea People's Republics or be charged with war crimes and find his regime and claims in Eastern Ukraine outlawed. International Compensation Commission Rates from the Iraq Kuwait war were: 1. People forced to relocate as the result of military action \$2,500 -\$4,000 for an individual and \$5,000-\$8,000 for a family; 2. People who suffered serious bodily injury or families reporting a death as the result of US military action are entitled to between \$2,500 and \$10,000; 3. After being swiftly compensated for relocation, injury or death an individual may make a claim for damages for personal injury; mental pain and anguish of a wrongful death; loss of personal property; loss of bank accounts, stocks and other securities; loss of income; loss of real property; and individual business losses valued up to \$100,000. 4. After receiving compensation for relocation, injury or death an individual can file a claim valued at more than \$100,000 for the loss of real property or personal business. 5. Claims of corporations, other private legal entities and public sector enterprises. They include claims for: construction or other contract losses; losses from the non-payment for goods or services; losses relating to the destruction or seizure of business assets; loss of profits; and oil sector or heavy industry losses. 6. Claims filed by Governments and international organizations for losses incurred in evacuating citizens; providing relief to citizens; damage to diplomatic premises and loss of, and damage to, other government property; and damage to the environment.

Subsequently, on 26 February 2022 the Ukraine filed a new case to deny the Russian pretext for war beginning on 24 February 2022 due to *Allegation of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide* (Ukraine v. Russian Federation). On 16 March 2022 the International Court of Justice issued a Provisional Measure recognizing that Putin's allegations of genocide do not justify attacking the Ukraine. The substantive order held, (1) by thirteen votes to two, The Russian Federation shall immediately suspend the military operations that it commenced on 24 February 2022 in the territory of Ukraine; (2) by thirteen votes to two, The Russian Federation shall ensure that any military or irregular armed units which may be directed or supported by it, as well as any organizations and persons which may be subject to its control or direction, take no steps in furtherance of the military operations referred to in point (1) above; and (3) unanimously, Both Parties shall refrain from any action which might aggravate or extend the dispute before the Court or make it more difficult to resolve.

Note: Paragraph 19 of the Application to Institute Proceedings, provides, On the same day of 22 February 2022, President Putin signed an Executive Order on the Recognition of the Donetsk People's Republic and an Executive Order on the Recognition of the Luhansk People's Republic, President Putin also signed a Treaty of Friendship, Cooperation and Mutual Assistance with the so-called Donetsk People's Republic and so-called Luhansk People's Republic. On 24 February 2022, President Putin announced that he had made a decision to carry out a special military operation (without authorization from the legislature). By attacking the Ukraine Putin, within two days of signing treaties of Friendship, Cooperation and Mutual Assistance, Putin betrayed not only the international community he had promised non-aggression, Russian legislature, Security Council but lost the rights to occupy the same People's Republics he purports to be defending, The Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States 2625(XXV) was adopted by the General Assembly on 24 October 1970, makes it clear that "No territorial acquisition resulting from the threat

or use of force shall be recognized as legal”.

In February 2014, the Ukrainian people rose up in a “Revolution of Dignity”. Russia responded with aggression, invading and occupying the Autonomous Republic of Crimea and the city of Sevastopol. Then, as now, Russia’s aggression was based on lies. Russia first denied that it had used its military, then President Putin admitted it⁵⁶. Then he claimed, without basis, that “the Russian speaking population was threatened”⁵⁷. The international community rejected Russia’s actions and the United Nations General Assembly passed resolution 68/262, overwhelmingly reaffirming the territorial integrity of Ukraine, including Crimea. Paragraph 3 of Aggression against Ukraine A/ES-11/L.1 Demands that the Russian Federation immediately cease its use of force against Ukraine and to refrain from any further unlawful threat or use of force against any Member State; however prematurely deplores the 21 February 2022 decision by the Russian Federation related to the status of certain areas of the Donetsk and Luhansk regions of Ukraine; but rightly demands the Russian Federation immediately and unconditionally reverse the decision related to the status of certain areas of the Donetsk and Luhansk regions of Ukraine (as punishment for unlawful use of force). In eight years of reporting, there is not a single hint of any act of genocide. The OSCE has logged every ceasefire violation without any indication of genocide. Previous violations were much smaller with death tolls of +/- 15. Thousands of Ukraine civilians and soldiers on both sides have been killed. There are an estimated 3.5 million international refugees, 10 million internally displaced and hundreds of thousands unable to evacuate. The offensive against Mariupal must cease. Damages are currently estimated at \$100 billion, but indiscriminate shelling has a high price in roubles.

The Russian Federation has not responded to the Allegations of Genocide and did not appear for the reading of the Provisional Measure and is wanted. War crime charges have been filed against Putin in the International Criminal Court. Review of the Russian Constitution indicates that Putin's Presidency is illegal because he has held the office for 22 years although only allowed to serve two six year terms under Art. 81 (1 & 3). Art. 93 provides, The President of the Russian Federation may be impeached by two-thirds of the Council of Federation only on the basis of charges of high treason or of another grave crime brought by at least one-third of the State Duma and confirmed by a resolution of the Supreme Court of the Russian Federation on the existence of indications of a crime in the actions of the President of the Russian Federation and by a resolution of the Constitutional Court of the Russian Federation confirming that the established procedure for bringing charges has been observed. Because Putin has led office longer than allowed by the Constitution, has the authority to dismiss deputies and unconstitutional power to persecute dissidents, and is in contempt of the order to cease hostilities against the Ukraine by the International Court of Justice, it is highly recommended that the International Criminal Court proceed with war crime charges to support and protect the impeachment committee and provide alternate venue for the removal of Putin whereas he has already exhausted constitutional term limits. With more than a thousand deaths the military action against Ukraine is indisputably a war and the power of war and peace belongs to the Duma under Art. 106(f). While the President may enjoy immunity under Art. 91, unauthorized war crimes under auspice of Art. 66, have results in severe economic and military punishment against the Russian nation for harboring Putin's military action under Art. 63. The Duma is obligated by the Order of the International Court of Justice to immediately bring cessation to Putin's military action against Ukraine and the unconstitutional terms of their President make impeachment the appropriate venue for the punishment of their war criminal.

III. Judgment against the United States of America for the Benefit of the Islamic Republic of Iran

1. United States Ambassadors exhibit the symptoms of severe mental illness and for their mental health and safety, and competency to stand trial at the United Nations, the United States must;
2. Repeal FBI review of visitor exchange 28CFR§0.87;
3. Repeal Office of National Drug Control Policy (ONDCP) at 21USC§1701 *et seq*;
4. Amend Title 22 of the United States Code Foreign Relations and Intercourse (a-FRAI-d) to Foreign Relations (FR-ee);
5. Change the name of the Court of International Trade of the United States (COITUS) to Customs Court (CC);
6. Repeal Trade Sanctions Reform and Export Enhancement at 22USC§7201 *et seq.* and review Office of Foreign Assets Control aiming to repeal 31CFR Part 515 pertaining to Cuba and Parts 535, 560-562 regarding Iran and any other sanction regimes that may not be authorized by the UN Security Council.
7. Return \$3.6 billion Certain Iranian Assets with 6 percent annual interest.

There is reason to believe that United States sanctions pursuant to the International Emergency Economic Powers Act (IEEPA) 50USC§1701 *et seq.* and National Emergencies Act 50USC§1601 *et seq.* tend towards, and may always constitute Unilateral Coercive Measures (UCM) in flagrant disregard for the specific authorization of the Security Council Art. 41 of the UN Charter, the Declaration on the Granting of Independence to Colonial Countries and People (1960), Permanent Sovereign over Natural Resources (1962) whose intrinsic discrimination against nationality may or may not be extrinsic to Art. 1 of the Convention on the Elimination of All Forms of Racial Discrimination (1969). To this effect the International Court of Justice ordered: States must remove any impediments arising to the free exportation of goods required for humanitarian needs, such as (i) medicines and medical devices; and (ii) foodstuffs and agricultural commodities; as well as goods and services required for the safety of (agriculture) civil aviation, such as (iii) spare parts, equipment and associated services (including warranty, maintenance, repair services and safety-related inspections) necessary for (irrigation and agricultural equipment) civil aircraft. To this end, the United States must ensure that licenses and necessary authorizations are granted and that payments and other transfers of funds are not subject to any restriction in so far as they relate to the goods and services referred to above, in paragraph 98 of Alleged violations of the 1955 Treaty of Amity, Economic Relations, and Consular Rights (*Islamic Republic of Iran v. United States of America*) No. 175 3 October 2018.

The panic stricken response of the US Ambassadors to the UN on the topic of sanctions must be treated as incompetence to stand trial due to severe mental illness of the US Foreign Service in the Judgment of the International Court of Justice upon their extortion and willful oppression regarding their liability for fraudulent sanctions best described in 26USC§7214. Their hysterical behavior is so tortiously negligent that a drug abuse warning, in their behalf, should be issued by the Secretary of Health and Human Services (DHHS) that dimethoxymethylamphetamine (DOM) causes a three day panic attack and six month recovery from severe mental illness, if not washed off with water, gloves should be worn with paper documents, that are scanned in and discarded under 42USC§242. Furthermore, methamphetamine and its prescription drug precursors can cause illiteracy in the case of pseudoephedrine and aggression in the case of anti-depressant withdrawal. For their mental health and genuine social phobia, it is imperative that US Ambassadors are liberated from the hostile cold war FBI review of visitor exchange with Iron Curtain countries by repealing 28CFR§0.87. To do business with the White House, whereas incompetence of the Foreign Service devolves upon the “tweaker” President, despite 47 percent of White House budget going to the marijuana robbery to push methamphetamine operation of the Office of National Drug Control Policy (ONDCP), it is also necessary that ONDCP statute be repealed at 21USC§1701 *et seq.* First, immunizing the severely mentally ill ambassadors

against psychotropic torture by their controlling secret police, the Court may proceed to do justice upon the underlying perversion subverting the legal competence of US foreign relations, whose neglect to correct made the US foreign service vulnerable to toxic challenges to their mental health. Title 22 of the United States Code Foreign Relations and Intercourse (a-FRAI-d) needs to be amended to Foreign Relations (FR-ee). The name of the Court of International Trade of the United States (COITUS) created by the Customs Court Act of 1980 needs to be changed to Customs Court (CC). The President must amend federal torture statute to comply with Arts. 2, 4 and 14 of the Convention against Torture by repealing the phrase “outside the United States (altered in 2009)” from 18USC§2340A(a) and amends Exclusive Remedies at §2340B so: The legal system shall ensure that the victim of an act of torture obtains redress and has an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible. In the event of the death of the victim as a result of an act of torture, their dependents shall be entitled to compensation pursuant to Art. 14 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1987).

The Presidential power to impose medical and agricultural sanctions and extend them for two years is definitively overruled in any case, and should be repealed by Congress at 22USC§7201 *et seq.* pursuant to Alleged violations of the 1955 Treaty of Amity, Economic Relations, and Consular Rights (*Islamic Republic of Iran v. United States of America*) No. 175 3 October 2018. The Office of Foreign Assets Control in the Treasury Department needs to be thoroughly reviewed by the UN Security Council regarding the legality of their sanctions aiming to repeal 31CFR Part 515 pertaining to Cuba and Parts 535, 560-562 regarding Iran and any other sanction regimes that may not be authorized by the UN Security Council. Redressing the embezzlement of \$3.6 billion, plus interest, in *Certain Iranian Assets (Islamic Republic of Iran v. United States of America)* against the protests of the mentally incompetent US Ambassadors, poses a different circumstance, whereby the Court has no alternative but to pass a Judgment obligating the United States to peacefully return property stolen since 1980, when the United States bizarrely started robbing the rescuers from *United States Diplomatic and Consular Staff in Tehran (United States of America v. Islamic Republic of Iran)* (1979-1981) with interest pursuant to Art. 36 of the Statute of the Court.

The reputation of Secretary of State Antony Blinken has achieved moral turpitude and he should be removed for suspicion of the war crime of using protected persons to engage in hostilities and grave breach of the Geneva Convention regarding the unlawful appropriation of property. Essentially, on 10 November 2022 the same day the moot price estimates of the Bipartisan Infrastructure Bill were passed, without so much as an Acting Director of the Office of Management and Budget, Secretary Blinken and President Biden came to an unauthorized agreement with President Putin that the NATO would not grant Ukraine or other Russian sphere of influence nations, membership. Inter alia this means that the United States is not obligated to collective self-defense of non-member nations. This is exactly the same agreement a US Ambassador came to with Saddam Hussein, shortly before his unfortunate invasion Kuwait. The US was not authorized by NATO to come to agreements in behalf of the organization. The correct answer is, as one of many conditions of membership to NATO, Russia must divest the Lukansk, Donetsk and Crimean People's Republics until the occupation is relieved and all former Soviet Republics could join NATO and collectively defend each other against armed invasion. Secretary Blinken seem to have gotten “intelligent” to the intoxication of US Ambassadors, but instead of wisely abolishing 28CFR0.87 exposed President Putin to the American legal system. The presumed poison is dimethoxymethylamphetamine (DOM) three day panic attack followed by six months of severe mental illness, if not immediately washed off with water. There is a strong assumptions that the actual attack was caused by anti-depressant withdrawal related aggression.

President Biden's protection of chemical weapons missions sabotages his unacceptably anti-communist Interim National Security Strategy prophecy. White House ONDCP is suspected of adulterating pharmaceutical drugs, ie. OMB Director's birth control. Nearly every case in the American legal system is exposed to some intoxicating and/ or noxious substance. If they survive, lawyers have very small brains and short tempers from methamphetamine precursors. President Biden needs to abolish ONDCP. The anti-communist propaganda lawlessly publicized evil-doers capable of inciting genocide without bringing them to any sort of military or international justice and seemed capable of inciting military opposition on demand. The American legal system is highly suspected of constantly engaging in the war crime of using protected persons to engage in hostilities and the Biden Administration is implored to accede to the Rome Statute of the International Criminal Court to make it clear protected persons may not be used to engage in hostilities.

IV. Relieving Sanctions against Afghanistan under Taliban Rule

1. The United States may not withhold money due Afghanistan to compensate 9-11 victims.
2. Money not necessary to alleviate the immediate humanitarian crisis, an estimated 10 percent of the total, may be withheld to require that the Taliban ruled government of Afghanistan legalize and fully finance school for girls.
3. The Taliban militants, in their revenue generating capacity of Afghan government, must pay for the loyalty of their own soldiers, police officers and veterans.
4. By joining the United Nations in the fight against ISIS in the Afghan territory, Taliban military and police security can gain international acceptance, whereas, "the enemy of my enemy is my friend".

Due to the severe humanitarian conditions in Afghanistan, since the withdrawal of coalition forces, and recapture of the nation by the Taliban, a conference in Stockholm, Sweden is considering relieving billions of dollars in sanctions against the Taliban. The Taliban may be obligated to uphold human rights and allow girls to attend schools. Resolution 2615 of 22 December 2021 held, humanitarian assistance and other activities that support basic human needs in Afghanistan are not a violation of paragraph 1 (a) of S/Res 2255 (2015), and that the processing and payment of funds, other financial assets or economic resources, and the provision of goods and services necessary to ensure the timely delivery of such assistance or to support such activities are permitted by Emergency Coordinator. Accrual of any benefits to individuals or entities designated on the 1988 Sanctions List shall be minimized by Resolution 2611 (2021) 17 December. Alternatively, the United Nations Assistance Mission in Afghanistan may be called upon to administrate this money pursuant to Resolution 2615 (2021) 22 December. United Nations Assistance Mission in Afghanistan (UNAMA) is extended from September to 17 March 2022 by Resolution 2596 (2021) 17 September.

President Biden has agreed to release billion of dollars in sanctions against Afghanistan but makes unreasonable demands to short-change Afghanistan to excessively compensate 9-11 suicide attack victims that must be overruled by the International Court of Justice, to ensure all funds taken from the impoverished nation of Afghanistan are released to Afghanistan. 9-11 suicide attack victims have already been handsomely compensated, and they were attacked by the international terrorist Al Queda organization, not the Afghanistan dominating Taliban, who are independently cited as terrorists, mostly for their extrajudicial executions, religious intolerance, denial of school for girls, but have never attacked the United States, except in Afghanistan during combat with foreign occupying forces, who killed far more than Taliban than they suffered casualties of their own. Unacceptably high levels of civilians casualties, including women and children, are attributed to both sides. Now that coalition

forces have evacuated Afghanistan and the Pashtun majority Taliban are in undisputed control of the nation of Afghanistan it is necessary to devise a equitable method of returning money, that has been frozen due to sanctions, to Afghanistan, in a fashion that safely fulfills Afghan humanitarian needs, including a fully financed government.

The vast majority of foreign assistance to Afghanistan was utilized for military security. The withdrawal of coalition forces at odds with the ruling majority should dramatically reduce the perceived need to finance Afghan military and security to zero. It must be provided that no money returned to Afghanistan should be used to finance the military or police forces under Taliban. The Taliban militants, in their revenue generating capacity of Afghan government, must pay for the loyalty of their own soldiers, police officers and veterans. Their integration into international peace and security acceptability shall be based upon their struggle with the common enemy – ISIS. By all accounts ISIS is even more ruthlessly right wing Islamic fundamentalist than the Taliban, who fights them of their own accord. By joining the United Nations in the fight against ISIS in the Afghan territory, Taliban military security can gain international acceptance, whereas, “the enemy of my enemy is my friend”. Otherwise, the administration of humanitarian assistance to the Taliban ruled Afghan government, should be cautiously administrated, taking great care to avoid the common theft, embezzlement and corruption, of international assistance, that occurred during the foreign occupation, in accordance with Security Council Resolution 2611 17 December 2021. Because the equal education of girls and equal employment of women, is so important to the Sustainable Development Goals and international toleration of Taliban rule in general, an estimated ten percent of money due Afghanistan should be withheld, to ensure the Taliban understand their international treaty obligation to legalize and finance the education and employment of women on an equal basis with men.

V. Duty to release Aung San Suu Kyi (The Gambia v. Myanmar)

1. Ms. Suu Kyi's request in 2019 to have the *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar)* removed from the list and deny the application for provisional measures is denied.
2. Release Ms. Suu Kyi and more than 10,000 nonviolent political activists from punishment.
3. A provisional measure sustaining the arms embargo against Myanmar territory applies equally to reported Chinese supply of weapons to terrorist group(s) is necessary to reduce or eliminate violence.
4. Assess reparations owed Rohingya refugees, including returning to Myanmar, to conclude the case.
5. Call upon a Myanmar Ambassador to the UN to determine who has the authority to respect the results of the 2020 general election.
6. Avoid prosecution by releasing the political prisoners, respecting the 2020 elections and paying compensation to the Rohingya pursuant to Art. 14 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984).
7. Accede to the Rome Statute of the International Criminal Court.

Burma's military rulers have repeatedly imprisoned Aung San Suu Kyi, the daughter of Burma's

leading independence figure, General Aung San, and general secretary of the National League for Democracy (NLD) which employs non-violent means to resist a regime characterized by brutality. She also emphasizes the need for conciliation between the sharply divided regions and ethnic groups in her country. Suu Kyi won the Rafto Prize and the Sakharov Prize in 1990, and the Nobel Peace Prize in 1991. Suu Kyi was under house arrest for 15 years between 1989 and 2010, and has recently been sentenced to another term in prison beginning in 2021. She was first arrested by Burma's military government in 1989 and held under house arrest until 1995. She was placed under house arrest a second time in 2000 and released in 2002. The military junta, the State Peace and Development Council (SPDC), detained her for a third time in 2003 after an attack on her convoy while traveling in the country, that was extended to November 13, 2010. The military government however used the bizarre incident of an American man swimming to her house in May 2009 as an excuse to put her on trial-for the first time ever during her periods of detention-and extend her house arrest for another 18 months. Political trials in Burma, conducted by judges that are not independent, do not meet international fair trial standards.

The National League for Democracy (NLD) won a landslide victory in 2015, but she was prevented from becoming president herself by rules excluding those with foreign national children from holding that office. She was widely regarded as the de facto ruler of the country. However her reputation abroad was severely damaged by the way she handled the Rohingya crisis, which started in 2017. Suu Kyi won November 2020 general elections by a landslide. Aung San Suu Kyi and other civilian leaders deposed by the military in a coup on February 1, 2021. Aung San Suu Kyi was found guilty of incitement and of violating COVID-19 rules and sentenced to four years in prison on December 6, 2021, reduced to two, before another four years were added in January 2022, for a total of six years. The 76-year-old, who has not been seen in public since her house arrest, still faces several more serious charges - of corruption, election fraud and breaking the official secrets act. President Win Myint was also sentenced to four years. These sentences are to be served in house arrest at a secret location. Human Rights Watch called the legal proceedings a "courtroom circus of secret proceedings on bogus charges... so that (Aung San Suu Kyi) will remain in prison indefinitely". The ruling junta still faces widespread opposition; parts of the country are now engulfed in armed conflict, with weapons being supplied to rebels by China, and the economy is near collapse. Ms Suu Kyi is one of more than 10,600 people to have been arrested by the junta since February, with at least 1,303 others killed in the demonstrations. The Norwegian Nobel Committee asks for the immediate release of Aung San Suu Kyi and other arrested politicians, and for the result of last year's general election to be respected.

On 11 November 2019 The Gambia instituted proceedings against Myanmar for its violations of the Convention on the Prevention and Punishment of the Crime of Genocide, taken and condoned by the Government of Myanmar against members of the Rohingya group, a distinct ethnic, racial and religious group that resides primarily in Myanmar's Rakhine State. These acts, which include killing, causing serious bodily and mental harm, inflicting conditions that are calculated to bring about physical destruction, imposing measures to prevent births, and forcible transfers, are genocidal in character because they are intended to destroy the Rohingya group in whole or in part. Myanmar has also violated other fundamental obligations under the Genocide Convention, including by attempting to commit genocide; conspiring to commit genocide; inciting genocide; complicity in genocide; and failing to prevent and punish genocide. Against the backdrop of longstanding persecution and discrimination, from around October 2016 the Myanmar military (the "Tatmadaw") and other Myanmar security forces began widespread and systematic "clearance operations" — the term that

Myanmar itself uses — against the Rohingya group. The genocidal acts committed during these operations were intended to destroy the Rohingya as a group, in whole or in part, by the use of mass murder, rape and other forms of sexual violence, as well as the systematic destruction by fire of their villages, often with inhabitants locked inside burning houses. From August 2017 onwards, such genocidal acts continued with Myanmar’s resumption of “clearance operations” on a more massive and wider geographical scale. In 2019 a UN human rights envoy declared the Myanmar army chief must be prosecuted for Rohingya ‘genocide’. However, Myanmar is not a State party to the Statute of the International Criminal Court. There is no basis for jurisdiction over crimes committed within the territory of Myanmar, including the crime of genocide. See ICC, Pre-Trial Chamber I, Decision on the “Prosecution’s Request for a Ruling on Jurisdiction under Article 19 (3) of the Statute”, No. ICC-RoC46(3)-01/18 (6 September 2018); ICC, Office of the Prosecutor, Situation in the People’s Republic of Bangladesh/ Republic of the Union of Myanmar, Request for authorization of an investigation pursuant to Article 15, No. ICC-01/19, (4 July 2019). The Court held more than 30 attacks were launched simultaneously on 25 August 2017. These were obviously not planned by the authorities of Myanmar. They were part of the ongoing armed conflict with the ARCA. Ms. Suu Kyi made the closing statement of Myanmar to the International Court of Justice on 12 December 2019 pleading that domestic military justice would be considered satisfactory, despite the pardon, to have the case removed from the list and deny the application for provisional measures.

Ms. Suu Kyi and more than 10,000 political activists should not be punished for the rote tortious negligence of her final statement regarding the *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar)* filed in 2019 in behalf of Rohingya refugees, mostly in Bangladesh. The domestic military justice system failed to be conquered by foreign executioners pursuant to the outcome of the Trial of Major War Criminals (1949). The military conflict with ARCA is reported to be fueled by Chinese weapons. Without any provisional measures enforcing the arms embargo against Myanmar territory, in February 2021 the military had a coup rather than be punished by the democracy. Ms. Suu Kyi's request to have the case removed from the list and deny the application for provisional measures must be denied. To protect Myanmar democracy against military coup, the International Court of Justice has a duty to order the release Ms. Suu Kyi and more than 10,000 nonviolent political activists from punishment. UN Ambassadors for Myanmar shall determine who has the authority to respect the results of the 2020 general election. To conclude the case is necessary to assess reparations owed Rohingya refugees, including returning to Myanmar. Finally, is the military junta prepared to accede to the Rome Statute of the International Criminal Court? The military junta expresses a preference for house arrest, rather than real imprisonment, to censure popular opinion. Perhaps Myanmar can avoid prosecution by releasing the political prisoners, respecting the 2020 elections and paying compensation to the Rohingya pursuant to Art. 14 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984).

VI. Obligation to Compensate for Damages to Person and Property (DRC v. Uganda)

On 23 June 1999, the Democratic Republic of the Congo (DRC) filed in the Registry of the Court Applications instituting proceedings against Burundi, Uganda and Rwanda “for acts of armed aggression committed...in flagrant breach of the United Nations Charter and of the Charter of the Organization of African Unity” in the case concerning *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)*. In addition to the cessation of the alleged acts, the DRC sought reparation for acts of intentional destruction and looting and the restitution of national property and resources appropriated for the benefit of the respective respondent States pursuant to

Article 36, paragraph 1, of the Statute, the New York Convention of 10 December 1984 against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Montreal Convention of 23 September 1971 for the Suppression of Unlawful Acts against the Safety of Civil Aviation and, lastly, Article 38, paragraph 5, of the Rules of Court. On 15 January 2001 Burundi and Rwanda were removed. On 19 June 2000, the DRC filed a Request for the indication of provisional measures to put a stop to all military activity and violations of human rights and of the sovereignty of the DRC by Uganda. On 1 July 2000, the Court ordered each of the two Parties to prevent and refrain from any armed action.

The Court handed down its Judgment No. 116 on the merits on 19 December 2005. The Court found that from August 1998, the DRC had not consented to the presence of Ugandan troops on its territory (save for the limited exception regarding the border region of the Ruwenzori Mountains contained in the Luanda Agreement). The Court found, the unlawful military intervention by Uganda, to whom are attributed 10,000-15,000 civilian casualties, was of such magnitude and duration, to be considered a grave violation of the prohibition on the use of force expressed in Article 2, paragraph 4, of the United Nations Charter. By an Order of 8 September 2020, the Court decided to arrange for an expert opinion, in accordance with Article 67, paragraph 1, of its Rules, on some heads of damage claimed by the DRC, namely the loss of human life, the loss of natural resources and property damage. After holding oral proceedings in April 2021, the Court delivered Judgment No. 116 on the question of reparations on 9 February 2022, awarding US \$325 million - US\$225,000,000 for damage to persons, US\$40,000,000 for damage to property and US\$60,000,000 for damage related to natural resources. It decided that the total amount due should be paid in five annual installments of US\$65,000,000 starting on 1 September 2022, and that, should payment be delayed, post-judgment interest of 6 per cent would accrue on any overdue amount as from the day after the day on which the installment was due. While it remains to be seen if the victim compensation is paid in a timely fashion, *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)* demonstrates how effective the obligation to pay compensation for torture is at concluding the case under Art. 14 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) and Art. 36 of the Statute of the Court. The primary cause for delay in the settlement of the case was attributed to the delay in appointing an expert to assess the damages to person and property. It is hoped that the civilian victims of international armed conflicts will be compensated more swiftly in the future.